

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

TAPESTRY, INC.,

and

CAPRI HOLDINGS LIMITED,

Defendants.

Case No. 1:24-cv-03109-JLR

**REDACTED VERSION**

**DECLARATION OF ABBY L. DENNIS IN SUPPORT OF PLAINTIFF'S REPLY  
MEMORANDUM IN SUPPORT OF MOTION FOR A PRELIMINARY INJUNCTION**

I, Abby L. Dennis, an attorney acting on behalf of the United States government, declare the following is true and correct under penalty of perjury.

1. I am an attorney for the Federal Trade Commission (the “Commission” or “FTC”), Bureau of Competition, and counsel for Plaintiff FTC in the above-captioned matter. I have personal knowledge of the facts set forth in this declaration. I submit this declaration in support of the FTC’s Motion for Preliminary Injunction.
2. Attached to this declaration and identified in the index below as **Doc. Nos. 1-28, 74-77** are true and correct copies of documents produced by and designated confidential by Defendant Tapestry, Inc. (“Tapestry”).
3. Attached to this declaration and identified in the index below as **Doc. Nos. 29-41** are true and correct copies of documents produced by and designated confidential by Defendant Capri Holdings Limited (“Capri”).
4. Attached to this declaration and identified in the index below as **Doc. No. 42**

(PX3150 ( [REDACTED] )) is a true and correct copy of a document produced by and designated confidential by [REDACTED].

5. Attached to this declaration and identified in the index below as **Doc. No. 43** (PX3201 ( [REDACTED] )) is a true and correct copy of a document produced by and designated confidential by [REDACTED].

6. Attached to this declaration and identified in the index below as **Doc. No. 44** (PX5006) is a true and correct copy of the transcript of the deposition of Todd Kahn (June 14, 2024) designated confidential by Tapestry.

7. Attached to this declaration and identified in the index below as **Doc. No. 45** (PX5011) is a true and correct copy of the transcript of the deposition of Michael Kors (June 21, 2024) designated confidential by Capri.

8. Attached to this declaration and identified in the index below as **Doc. No. 46** (PX5019) is a true and correct copy of the transcript of the deposition of Joanne Crevoiserat (July 2, 2024) designated confidential by Tapestry.

9. Attached to this declaration and identified in the index below as **Doc. No. 47** (PX5020) is a true and correct copy of the transcript of the deposition of Pamela Lifford (July 10, 2024) designated confidential by Tapestry.

10. Attached to this declaration and identified in the index below as **Doc. No. 48** (PX5026) is a true and correct copy of the transcript of the deposition of [REDACTED] (July 16, 2024) designated confidential by [REDACTED].

11. Attached to this declaration and identified in the index below as **Doc. No. 49** (PX5027) is a true and correct copy of the transcript of the deposition of Liz Harris (July 16, 2024) designated confidential by Tapestry.

12. Attached to this declaration and identified in the index below as **Doc. No. 50**  
**(PX5028)** is a true and correct copy of the transcript of the deposition of Liz Harris as a corporate representative (July 16, 2024) designated confidential by Tapestry.
13. Attached to this declaration and identified in the index below as **Doc. No. 51**  
**(PX5032)** is a true and correct copy of the transcript of the deposition of [REDACTED]  
[REDACTED] (July 17, 2024) designated confidential by [REDACTED]  
[REDACTED]
14. Attached to this declaration and identified in the index below as **Doc. No. 52**  
**(PX5035)** is a true and correct copy of the transcript of the deposition of Liz Fraser (July 18 2024) designated confidential by Tapestry.
15. Attached to this declaration and identified in the index below as **Doc. No. 53**  
**(PX5036)** is a true and correct copy of the transcript of the deposition of Peter Charles (July 18, 2024) designated confidential by Tapestry.
16. Attached to this declaration and identified in the index below as **Doc. No. 54**  
**(PX5037)** is a true and correct copy of the transcript of the deposition of [REDACTED]  
[REDACTED] (July 19, 2024) designated confidential by [REDACTED]
17. Attached to this declaration and identified in the index below as **Doc. No. 55**  
**(PX5038)** is a true and correct copy of the transcript of the deposition of [REDACTED]  
[REDACTED] (July 19, 2024) designated confidential by [REDACTED]  
[REDACTED]
18. Attached to this declaration and identified in the index below as **Doc. No. 56**  
**(PX5040)** is a true and correct copy of the transcript of the deposition of Sloan Tichner (July 22, 2024) designated confidential by Steve Madden, Ltd. The publicly

filed version of this exhibit will appear in redacted form, with the redactions designated by Steve Madden, Ltd.

19. Attached to this declaration and identified in the index below as **Doc. No. 57** **(PX5046)** is a true and correct copy of the transcript of the deposition of [REDACTED] [REDACTED] (July 24, 2024) designated confidential by [REDACTED]
20. Attached to this declaration and identified in the index below as **Doc. No. 58** **(PX5052)** is a true and correct copy of the transcript of the deposition of [REDACTED] [REDACTED] (July 29, 2024) designated confidential by [REDACTED]
21. Attached to this declaration and identified in the index below as **Doc. No. 59** **(PX5053)** is a true and correct copy of the transcript of the deposition of Sandeep Seth (July 30, 2024) designated confidential by Tapestry.
22. Attached to this declaration and identified in the index below as **Doc. No. 60** **(PX5058)** is a true and correct copy of the transcript of the deposition of [REDACTED] [REDACTED] (Aug. 5, 2024) designated confidential by [REDACTED]
23. Attached to this declaration and identified in the index below as **Doc. No. 61** **(PX6000)** is a true and correct copy of the Initial Expert Report of Dr. Loren K Smith (July 26, 2024).
24. Attached to this declaration and identified in the index as **Doc. No. 62 (PX7054)** is a true and correct copy of a Fair Disclosure Wire transcript entitled *Q4 2023 Tapestry Inc Earnings Call – Final* (Aug. 17, 2023).
25. Attached to this declaration and identified in the index as **Doc. No. 63 (PX7095)** is a true and correct copy of the Annual Report for Capri Holdings, Limited (Form 10-K) (May 26, 2021).

26. Attached to this declaration and identified in the index as **Doc. No. 64 (PX7096)** is a true and correct copy of the Annual Report for Capri Holdings, Limited (Form 10-K) (June 1, 2022).
27. Attached to this declaration and identified in the index as **Doc. No. 65 (PX7097)** is a true and correct copy of the Annual Report for Capri Holdings, Limited (Form 10-K) (May 29, 2019).
28. Attached to this declaration and identified in the index as **Doc. No. 66 (PX7098)** is a true and correct copy of the Annual Report for Capri Holdings, Limited (Form 10-K) (May 31, 2023).
29. Attached to this declaration and identified in the index as **Doc. No. 67 (PX7104)** is a true and correct copy of the Annual Report for Tapestry, Inc., (Form 10-K) (Aug. 18, 2022).
30. Attached to this declaration and identified in the index as **Doc. No. 68 (PX7105)** is a true and correct copy of the Annual Report for Tapestry, Inc., (Form 10-K) (Aug. 17, 2023).
31. Attached to this declaration and identified in the index as **Doc. No. 69 (PX7138)** is a true and correct copy of a Fair Disclosure Wire transcript entitled *Q4 2022 Capri Holdings Ltd Earnings Call – Final* (June 1, 2022).
32. Attached to this declaration and identified in the index as **Doc. No. 70 (PX7182)** is a true and correct copy of a page from the website [rebeccaminkoff.com](http://rebeccaminkoff.com), titled *About Rebecca Minkoff*, located at <https://www.rebeccaminkoff.com/pages/about> (Last visited Mar. 27, 2024).
33. Attached to this declaration and identified in the index as **Doc. No. 71 (PX7187)** is a

true and correct copy of a page from the website simone.co.kr titled *Simone Way*, located at <https://www.simone.co.kr/eng/index.php?pCode=way> (Last visited Mar. 27, 2024).

34. Attached to this declaration and identified in the index as **Doc. No. 72 (PX7436)** is a true and correct copy of a Fair Disclosure Wire transcript entitled *Q4 2024 Tapestry Inc Earnings Call – Final (Aug. 15, 2024)*.
35. Attached to this declaration and identified in the index as **Doc. No. 73 (PX7440)** is a true and correct copy of a publicly available document titled *Annual Report Two Thousand Sixteen*, by Macy's Inc.

#### EXHIBIT INDEX

Doc. No.	PX No.	Description	Source
1	PX1014	[REDACTED]	Tapestry
2	PX1074	[REDACTED]	Tapestry
3	PX1078	[REDACTED]	Tapestry
4	PX1088	[REDACTED]	Tapestry
5	PX1096	[REDACTED]	Tapestry
6	PX1129	[REDACTED]	Tapestry
7	PX1160	[REDACTED]	Tapestry

Doc. No.	PX No.	Description	Source
8	PX1216	[REDACTED]	Tapestry
9	PX1265	[REDACTED]	Tapestry
10	PX1271	[REDACTED]	Tapestry
11	PX1306	[REDACTED]	Tapestry
12	PX1325	[REDACTED]	Tapestry
13	PX1327	[REDACTED]	Tapestry
14	PX1328	[REDACTED]	Tapestry
15	PX1334	[REDACTED]	Tapestry
16	PX1354	[REDACTED]	Tapestry
17	PX1374	[REDACTED]	Tapestry
18	PX1379	[REDACTED]	Tapestry
19	PX1431	[REDACTED]	Tapestry
20	PX1497	[REDACTED]	Tapestry
21	PX1704	[REDACTED]	Tapestry

Doc. No.	PX No.	Description	Source
22	PX1723	[REDACTED]	Tapestry
23	PX1726	[REDACTED]	Tapestry
24	PX1731	[REDACTED]	Tapestry
25	PX1740	[REDACTED]	Tapestry
26	PX1862	[REDACTED]	Tapestry
27	PX1936	[REDACTED]	Tapestry
28	PX1937	[REDACTED]	Tapestry
29	PX2010	[REDACTED]	Capri
30	PX2048	[REDACTED]	Capri
31	PX2117	[REDACTED]	Capri
32	PX2128	[REDACTED]	Capri
33	PX2132	[REDACTED]	Capri
34	PX2167	[REDACTED]	Capri
35	PX2169	[REDACTED]	Capri

Doc. No.	PX No.	Description	Source
36	PX2257	[REDACTED]	Capri
37	PX2379	[REDACTED]	Capri
38	PX2435	[REDACTED]	Capri
39	PX2438	[REDACTED]	Capri
40	PX2674	[REDACTED]	Capri
41	PX2753	[REDACTED]	Capri
42	PX3150	[REDACTED]	Tory Burch
43	PX3201	[REDACTED]	Ralph Lauren
44	PX5006	Deposition Transcript of Todd Kahn (June 14, 2024)	Tapestry
45	PX5011	Deposition Transcript of Michael Kors (June 21, 2024)	Capri
46	PX5019	Deposition Transcript of Joanne Crevoiserat (July 2, 2024)	Tapestry
47	PX5020	Deposition Transcript of Pamela Lifford (July 10, 2024)	Tapestry
48	PX5026	Deposition Transcript of [REDACTED] (July 16, 2024)	[REDACTED]
49	PX5027	Deposition Transcript of Liz Harris (July 16, 2024)	Tapestry
50	PX5028	Deposition Transcript of Liz Harris (Tapestry 30(b)(6)) (July 16, 2024)	Tapestry
51	PX5032	Deposition Transcript of [REDACTED] (July 17, 2024)	[REDACTED]
52	PX5035	Deposition Transcript of Liz Fraser (July 18, 2024)	Tapestry
53	PX5036	Deposition Transcript of Peter Charles (July 18, 2024)	Tapestry
54	PX5037	Deposition Transcript of [REDACTED] (July 19, 2024)	[REDACTED]
55	PX5038	Deposition Transcript of [REDACTED] (July 19, 2024)	[REDACTED]
56	PX5040	Deposition Transcript of Sloan Tichner (July 22, 2024)	Steve Madden
57	PX5046	Deposition Transcript of [REDACTED] (July 24, 2024)	[REDACTED]
58	PX5052	Deposition Transcript of [REDACTED] (July 29, 2024)	[REDACTED]
59	PX5053	Deposition Transcript of Sandeep Seth (July 30, 2024)	Tapestry

Doc. No.	PX No.	Description	Source
60	PX5058	Deposition of [REDACTED] (Aug. 5, 2024)	[REDACTED]
61	PX6000	Initial Expert Report of Dr. Loren K Smith (Jul. 26, 2024)	Plaintiff
62	PX7054	Q4 2023 Tapestry Inc Earnings Call – Final (Aug. 17, 2023)	Publicly Available
63	PX7095	Capri 2021 10-K	Publicly Available
64	PX7096	Capri 2022 10-K	Publicly Available
65	PX7097	Capri 2019 10-K	Publicly Available
66	PX7098	Capri 2023 10-K	Publicly Available
67	PX7104	Tapestry 2022 10-K	Publicly Available
68	PX7105	Tapestry 2022 10-K	Publicly Available
69	PX7138	Earnings Call Transcript: <i>Q4 2022 Capri Holdings Ltd Earnings Call – Final</i> (June 1, 2022).	Publicly Available
70	PX7182	Website: Rebecca Minkoff, <i>About Rebecca Minkoff</i> , <a href="https://www.rebeccaminkoff.com/pages/about">https://www.rebeccaminkoff.com/pages/about</a> (Last visited Mar. 27, 2024).	Publicly Available
71	PX7187	Website: Simone, <i>Simone Way</i> , <a href="https://www.simone.co.kr/eng/index.php?pCode=way">https://www.simone.co.kr/eng/index.php?pCode=way</a> (Last visited Mar. 27, 2024).	Publicly Available
72	PX7436	Q4 2024 Tapestry Inc Earnings Call – Final (Aug. 15, 2024)	Publicly Available
73	PX7440	Macy's Inc. Document: Macy's Inc. Annual Report 2016	Publicly Available
74	PX8123	[REDACTED]	Tapestry
75	PX8124	[REDACTED]	Tapestry
76	PX8130	[REDACTED]	Tapestry
77	PX8167	[REDACTED]	Tapestry

Pursuant to 28 U.S.C. § 1746, I state under penalty of perjury that the foregoing is true and correct.

Dated: August 27, 2024

Respectfully submitted,

S/ Abby L Dennis  
Abby L. Dennis  
Federal Trade Commission  
600 Pennsylvania Avenue, N.W.  
Washington, DC 20580  
Phone: 202-326-2381  
Email: adennis@ftc.gov

*Counsel for Plaintiff Federal Trade Commission*